

MINUTES OF THE MEETING  
OF THE  
CITY PLAN COMMISSION

TUESDAY, June 2, 2015

The City Plan Commission held its regular meeting on Tuesday, June 2, 2015 in the Council Chambers on the 26<sup>th</sup> Floor of City Hall. The following members were:

PRESENT

Ms. Babette Macy	Chairwoman
Rev. Stan Archie	Vice Chair
Ms. Diane Burnette	Member
Ms. Margaret J. May	Member
Ms. Bobbi Baker-Hughes	Member
Ms. Trish Martin	Member
Mr. Coby Crowl	Member

ABSENT

Mr. Enrique Gutierrez	Member
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ALSO PRESENT

Ms. Diane Binckley	Assistant Secretary
Mr. Olofu Agbaji	Staff
Mr. Joseph Rexwinkle	Staff
Ms. Ashley Winchell	Staff
Ms. Marty Campbell	Recording Secretary
Ms. Maggie Moran	Legal Counsel
Mr. Gnani Mahlingam	Public Works
Mr. Brett Cox	Land Development

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Chairwoman Macy called the meeting to order at 9:14 A.M.

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**RE:** **SD 1507, Final Plat, Cerner Trails Campus, First Plat**

**APPLICANT/ OWNER:** Scott Siemers  
Cerner Property, Inc.  
2800 Rockcreek Parkway  
North Kansas City, MO 64117

**AGENT:** David King  
Schmitz King & Associates  
18900 W. 158<sup>th</sup> Street, Suite G  
Olathe, KS 66062

**LOCATION:** Generally bounded by E. 87th Street to the north, I-435 on the west, the Kansas City Southern Railroad on the east, and Bannister Road and E. 93<sup>rd</sup> Street on the south.

**AREA:** Approximately 290 acres

**REQUEST:** To consider approval of a final plat in District UR (Urban Redevelopment), on about 270 acres, creating five (5) lots and one (1) tract.

Ms. Diane Binckley, Assistant Secretary entered the staff report and requested this matter be continued to the June 16, 2015 meeting date without fee.

Chairwoman Macy opened discussion to the public.

No one appeared in opposition.

Vice Chair Archie moved and Commissioner Crawl seconded the motion to **CONTINUE SD 1507** to the June 16, 2015 meeting date without fee.

Motion carried 7-0

**VOTING AYE:** Archie, Baker-Hughes, Burnette, Crawl, Martin, May, and Macy  
**VOTING NAY:** None  
**ABSENT:** Gutierrez

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**RE:** Case No. 7515-P-6

**APPLICANT:** Todd Kaestner  
Brookdale  
111 Westwood Place, Suite 400  
Brentwood, TN 37027

**PROPERTY OWNER:** BLC KC GC, LLC  
330 N Wabash Avenue  
Chicago, IL 60611

**CONTACT:** Brian Sturm  
Landplan Engineering  
1310 Wakarusa Drive  
Lawrence, KS 66049

**LOCATION:** generally located at the southwest corner of W 107<sup>th</sup> Street and  
Wornall Road

**REQUESTS:** to consider approval of a final plan in District R-1.5 to allow for  
the addition of a new parking lot to serve an existing apartment  
complex.

Ms. Binckley, Assistant Secretary entered the staff report into the record and stated the applicant, Brian Sturm, 1310 Wakarusa Drive, Lawrence Kansas 66049 had signed the consent agenda accepting all conditions.

Chairwoman Macy opened up the discussion to the public.

No one appeared in opposition.

Vice Chair Archie moved and Commissioner May seconded the motion to **APPROVE Case No. 7515-P-6 SUBJECT TO THE FOLLOWING CONDITIONS:**

1. That two (2) collated, stapled and folded copies (and a CD containing a PDF file of all plan sheets), revised as noted, be approved by the Development Management staff (15<sup>th</sup> Floor, City Hall):
  - a. Showing the calculations for interior landscaping on the face of the plan.

Motion carried 7-0

**VOTING AYE:** Archie, Baker-Hughes, Burnette, Crawl, Martin, May, and Macy  
**VOTING NAY:** None  
**ABSENT:** Gutierrez

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**RE:** Case No. 8870-P-10

- APPLICANT:** Jacie Leiber  
Jamestown Villas, LLC  
1220 Washington Street, 3<sup>rd</sup> Floor  
Kansas City, MO 64105
- CONTACT:** Brian Foxworthy  
Incite Design Studio, LLC  
110 W 18<sup>th</sup> Street  
Kansas City, MO 64108
- LOCATION:** Generally located west of N Northwood Road north of NW 58th Street
- REQUESTS:** to consider approval of a final plan in District R-2.5 to allow for the addition of a community pool and cabana to serve the Jamestown Villas Development.

Ms. Binckley, Assistant Secretary entered the staff report into the record and stated the applicant, Mr. Brian Foxworthy, 110 W. 18<sup>th</sup> Street, Kansas City Missouri 64108 had signed the consent agenda accepting all conditions removing the last Condition of the sign removal..

Chairwoman Macy opened up the discussion to the public.

No one appeared in opposition.

Vice Chair Archie moved and Commissioner May seconded the motion to **APPROVE Case No. 8870-P-10 SUBJECT TO THE FOLLOWING CONDITIONS:**

1. That two (2) collated, stapled and folded copies (and a CD containing a PDF file of all plan sheets), revised as noted, be approved by the Development Management staff (15<sup>th</sup> Floor, City Hall):
  - a. Provide landscaping in compliance with Section 88-425 "Landscaping and Screening."
  - b. Add sidewalk connecting the pool area to the street.
  - c. Remove the approval stamp from the site plan.
  - d. Show a six foot tall wrought iron fence surrounding the pool development.
2. That the developer submit an affidavit stating that all of the landscaping has been installed as previously approved within the Jamestown Villas for the entrance and any building with a certificate of occupancy, prior to issuing a full building permit for the pool.
3. That the developer complete construction of the sidewalk at the front entrance.

Motion carried 7-0

**VOTING AYE:** Archie, Baker-Hughes, Burnette, Crowl, Martin, May, and Macy

VOTING NAY: None  
ABSENT: Gutierrez

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**RE:** a) **Case No. 6608-P-5**  
b) **Case No. 6608-P-6**

**APPLICANT/ OWNER:** Mohammad AbuAshbah  
Prince Auto, LLC  
10612 Blue Ridge Boulevard  
Kansas City, MO 64134

**AGENT:** Khalid Banday  
KAM Design & Construction, Inc.  
9000 E. Bannister Rd., #100  
Kansas City, MO 64134

**LOCATION:** 10612 Blue Ridge Boulevard - Generally located on the west side of Blue Ridge Boulevard, approximately 200 feet north of E. 107<sup>th</sup> Street.

**AREA:** About 0.6 acres.

**ZONING:** B3-2 (Community Business dash 2).

**REQUESTS:** a) **Case No. 6608-P-5-** To consider an amendment to an existing Chapter 80 approved preliminary development plan in District B3-2 (Community Business dash 2), to delete the existing chapter 80 plan.

b) **Case No. 6608-P-6 -** To consider approval of a development plan in lieu of a Special Use Permit pursuant to Chapter 88-517-12-D, in District B3-2 (Community Business dash 2), to allow for vehicle sales and service.

**Quorum:** Archie, Baker-Hughes, Crawl, Gutierrez, Martin, May and Macy

Commissioner Burnette recused

Mr. Olofu Agbaji, Staff Planner, presented the staff report and stated that staff recommended approval for reasons presented in the staff report.

Chairwoman Macy asked how he thought the telephone pole was put in the middle of the easement.

Mr. Agbaji stated with the existing approved plan, they cancelled the easement on the north side and moved it to the south side.

Ms. Binckley stated they couldn't tell whether the pole had ever been moved only it had been there and when O'Reilly vacated the other easement it happened.

Chairwoman Macy asked how they would handle the situation.

Ms. Binckley answered they are still needing access by going through the property; from staff's position the property owners needed to try to work with O'Reilly about having continued access to their property.

Chairwoman Macy asked to hear from the applicant.

KAM Design & Construction, Inc. agreed with all recommendations and conditions in the staff report; and would take care of all recommendations so they could move forward.

Chairwoman Macy opened up the discussion to the public.

Ms. Carol McClure they still hadn't heard anything from the applicant since the May 5<sup>th</sup> meeting date; they hadn't seen any color renderings or landscape plans; and for whatever reason there was a ton of cars at the site; more than for a tire business. They were concerned there was car sales taking place at this time. They still are opposed to a used car lot at the site; requested the request be denied.

Ms. (couldn't understand name); she agreed with Ms. McClure.

The applicant responded that it was also a mechanics shops as well as a tire shop; none of those cars are up for sale at that time; but probably more around 28 rather than 40 cars on site. They wouldn't be changing anything as far as the current driveway; they wouldn't obstruct the owner in anyway.

- a) That **Case No. 6608-P-5** be approved subject to approval of a Chapter 88 Development Plan (Special Use Permit).
- b) That the request for a Special Use Permit, **Case No. 6608-P-6** be approved for a period of three (3) years based on the application, plans, and documents provided for review prior to the hearing and subject to the following conditions:
  - 1. That three (3) collated, stapled and folded copies (and a CD containing a pdf file, a georeferenced monochromatic TIF file, and CAD/GIS compatible layer of the site plan boundary referenced to the Missouri state plan coordinate system) of (a revised drawing /all listed sheets), revised as noted, be submitted to Development Management staff, prior to ordinance request showing:
    - a. Notes on face of plan:
      - 1) Hours of operation.
      - 2) Number of proposed vehicle for sale inventory.
      - 3) No Flood lights.

- b. A blown up area of the existing access easement and how the easement affects the proposed plan.
  - c. The easement information next to said easement.
  - d. Provide preliminary color elevation of the proposed building makeover with details of materials. The elevation should include all proposed signage (type) and dimensions.
  - e. The face of the canopy restored and painted to match the building fascia.
  - f. Material for construction of the trash enclosure and gates be shown on the plan and that the enclosure be constructed of the same materials as the principle structure and properly screened per Chapter 88-425.
  - g. The proposed storage truck behind the building be removed.
  - h. An overall signage plan that meets the requirement of Chapter 88-445 in its entirety. Show signage material and provide details of monument sign.
  - i. Provide and identify the location and details of short-term and long-term bicycle parking demonstrating their conformance with 88-420-09 based on the number of parking spaces provided.
  - j. A revise landscaping plan sealed and certified by a registered landscape architect licensed in the State of Missouri that meets the requirement of Chapter 88-425 in its entirety. Staff recommends Yew or Junipers for screening of the vehicular use area along Blue Ridge Boulevard.
  - k. A lighting plan that meets the requirement of Chapter 88-430 in its entirety.
2. That the Special Use Permit be approved for a period of three (3) years.
3. That the developer repave and stripe the parking lot per approved plan prior to issuance of Certificate of Occupancy.

***Conditions 3. per City Planning & Development, Land Development Division (Brett Cox, [brett.cox@kcmo.org](mailto:brett.cox@kcmo.org))***

4. The developer submit a letter to the Land Development Division from a Licensed Civil Engineer, Licensed Architect, or Licensed Landscape Architect, who is registered in the State of Missouri, to identifying sidewalks, curbs, and gutters in disrepair as defined by Public Works Department's "OUT OF REPAIR CRITERIA FOR SIDEWALK, DRIVEWAY AND CURB revised 4/8/09" and base on compliance with Chapters 56 and 64 of the Code of Ordinances for the sidewalks, curbs, and gutters where said letter shall identify the quantity and location of sidewalks, curbs, gutters that need to be constructed, repaired, or reconstructed to remedy deficiencies and/or to remove existing approaches no longer needed by this project. The developer shall secure permits to repair or reconstruct the identified sidewalks, curbs, and gutters as necessary along all development street frontages as required by the Land Development Division and prior to issuance of any certificate of occupancy permits including temporary certificate occupancy permits.

Motion carried 6-0

VOTING AYE: Archie, Baker-Hughes, Crawl, Martin, May, and Macy  
VOTING NAY: None  
RECUSED: Burnette  
ABSENT: Gutierrez

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**RE:** Case No. 13896-SU-1

**APPLICANT/ AGENT:** Riad Baghdadi  
RB Architecture  
10107 W 105<sup>th</sup> Street  
Overland Park, KS 66217

**OWNER:** ARKE LLC  
14923 Benson Street  
Overland Park, KS 66212

**LOCATION:** 4300 Indiana Avenue - Generally located at the southwest corner  
of E 43<sup>rd</sup> Street and Indiana Avenue

**AREA:** About 0.388 acres

**ZONING:** B1-1

**REQUESTS:** To consider approval of a request for a Special Use Permit in  
District B1-1, to allow for the addition of a gas station to an  
existing convenience store, plus any necessary variances.

Ms. Diane Binckley read the staff report into the record and requested this matter be continued to the July 7, 2015 meeting date without fee.

Chairwoman Macy opened up the discussion to the public.

No one appeared in opposition.

Vice Chair Archie moved and Commissioner Baker-Hughes seconded the motion **CONTINUE Case No. 13896-SU-1** to the July 7, 2015 meeting date without fee (No Testimony – No Set Quorum).

Motion carried 7-0

VOTING AYE: Archie, Baker-Hughes, Burnette, Crawl, Martin, May, and Macy  
VOTING NAY: None  
ABSENT: Gutierrez

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**RE:** Case No. 14566-P

**APPLICANT:** Dean Realty Co.  
1201 W 31<sup>st</sup> Street; Suite 2  
Kansas City, MO 64108

**AGENT:** James C. Bowers, Jr. Esq.  
White Goss  
4510 Bellevue Avenue, Suite 300  
Kansas City, MO 64111

**LOCATION:** generally located on the west side of Holly between W 32nd Street to the south and W 31st Street to the north

**REQUESTS:** to consider approval of a Development Plan that also serves as a Preliminary Plat allowing for 4 single family residential homes in District M1-5.

Ms. Ashley Winchell, Staff Planner, presented the staff report and stated that staff recommended approval for reasons presented in the staff report.

Chairwoman Macy asked if they had supplied the elevations to these homes because she was uncomfortable in approving it without seeing what was going to be built; the house built directly north on the M-1 as well was a real issue to the neighborhood and it was the same developer. It was an historic neighborhood and she felt the new homes should tie in with the homes already there.

Chairwoman Macy asked to hear from the applicant.

Ms. Patricia Jensen, White Goss Law Firm; there on behalf of Dean Realty; they were in agreement with the conditions listed in the staff report. They met with the neighborhood and there weren't any big issues; she understood their concern on elevations, but it was not a part of the historic district and elevations hadn't been developed but there would be covenants placed on those lots.

Chairwoman Macy opened up the discussion to the public.

No one appeared in opposition.

Vice Chair Archie moved and Commissioner May seconded the motion to **APPROVE Case No. 14566-P SUBJECT TO THE FOLLOWING CONDITIONS:**

1. That two (2) collated, stapled, and folded (to 8.5 by 11 in. size) hardcopies and one (1) digital copy (CD containing a pdf file, a georeferenced monochromatic TIF file, and CAD/GIS compatible layer of the site plan boundary referenced to the Missouri state plane coordinate system) of the plans, revised as noted below, be submitted to Development Management staff (15th Floor, City Hall) for approval, prior to ordinance request showing:

a. That the developer add a note to the face of the plan stating "Only single family residential and accessory uses and structures as defined by 88-305 "Accessory Uses and Structures" are allowed."

b. That the developer remove "Tract A" text from plan.

c. That the developer identifies any foliage to remain.

***The following conditions are recommended by the Land Development Division of City Planning and Development. For questions, please contact Brett Cox, P.E. at 816-513-2509 or [brett.cox@kcmo.org](mailto:brett.cox@kcmo.org).***

2. The developer shall cause the area to be platted and processed in accordance with Chapter 88, Code of Ordinances of the City of Kansas City, Missouri, as amended, commonly known as the Development Regulations.

3. The developer shall submit a Storm Drainage analysis from a Missouri-licensed civil engineer to the Land Development Division evaluating proposed improvements and impact to drainage conditions. Since this project is within a "Combined Sewer Overflow" (CSO) district, the project shall be designed to retain rainfall of 1.5 inch depth over the entire site for a minimum of 40 hours prior to release, to reduce small storm discharge to the combined sewer system. The retained runoff shall be discharged between 40 and 72 hours. The analysis shall be submitted, and the developer secures permits to construct any improvements required by the Land Development Division prior to recording the plat.

4. The developer must dedicate additional right of way for the intersection of W 32nd Street & Holly Street as shown on the Development Plan, and ensure right of way dedication is adequate for any proposed road improvements as required by Land Development Division adjacent to this project.

5. The developer must subordinate to the City all private interest in the area of any right-of-way dedication, in accordance with Chapter 88 and as required by the Land Development Division, and that the owner/developer shall be responsible for all costs associated with subordination activities now and in the future.

6. After the City Plan Commission enters its disposition for the development plan, the developer shall not enter into any agreement that would encumber or otherwise have any impact on the proposed right-of-way dedications for the planned project without the prior written consent of the Land Development Division.

7. The developer must petition for the vacation of Holly Street as shown on the development plan as required by the Land Development Division, and Development Management prior to recording of the final plat.

8. The developer must obtain the executed and recorded city approved grading, temporary construction, drainage/sewer, or any other necessary easements from the abutting property owner(s) that may be required prior to submitting any public improvements crossing properties not controlled by the developer and include said document(s) within the public improvement applications submitted for permitting.

9. The owner/developer must submit plans for grading, siltation, and erosion control to Land Development Division for review and acceptance, and secure a Site Disturbance permit for any proposed disturbance area equal to one acre or more prior to beginning any construction activities.

10. The developer must secure permits to extend sanitary sewer to serve all proposed lots within the development and determine adequacy of receiving systems as required by the Land Development Division, prior to recording the plat.

11. The developer must submit covenants, conditions and restrictions to the Land Development Division for review by the Law Department for approval for the maintenance of private open space and enter into a covenant agreement for the maintenance of any stormwater detention area tracts, prior to recording the plat.

Motion carried 7-0

VOTING AYE: Archie, Baker-Hughes, Burnette, Crawl, Martin, May, and Macy  
VOTING NAY: None  
ABSENT: Gutierrez

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**RE:** Case No. SD 1505

**APPLICANT:** Dean Realty Co.  
1201 W 31<sup>st</sup> Street; Suite 2  
Kansas City, MO 64108

**AGENT:** James C. Bowers, Jr. Esq.  
White Goss  
4510 Belleview Avenue, Suite 300  
Kansas City, MO 64111

**LOCATION:** generally located on the west side of Holly between W 32nd Street to the south and W 31st Street to the north

**REQUESTS:** To consider approval of a final plat in District M1-5 to allow for the creation of 4 residential lots.

Ms. Ashley Winchell, Staff Planner, presented the staff report and stated that staff recommended approval for reasons presented in the staff report.

Chairwoman Macy asked if they had supplied the elevations to these homes because she was uncomfortable in approving this without seeing what was going to be built; the house built directly north on the M-1 as well was a real issue to the neighborhood and this is the same

developer. This is an historic neighborhood and she felt the new homes should tie in with the homes already there.

Chairwoman Macy asked to hear from the applicant.

Ms. Patricia Jensen, White Goss Law Firm; there on behalf of Dean Realty; they are in agreement with the conditions listed in the staff report. They met with the neighborhood and there weren't any big issues; she understood their concern on elevations, but this is not a part of the historic district and elevations haven't been developed but there would be covenants placed on those lots.

Chairwoman Macy opened up the discussion to the public.

No one appeared in opposition.

Vice Chair Archie moved and Commissioner May seconded the motion to **APPROVE SD 1505 SUBJECT TO THE FOLLOWING CONDITIONS:**

*Conditions 1-9 per City Planning & Development, Land Development Division (Brett Cox, [brett.cox@kcmo.org](mailto:brett.cox@kcmo.org))*

1. The developer shall submit a Storm Drainage analysis from a Missouri-licensed civil engineer to the Land Development Division evaluating proposed improvements and impact to drainage conditions. Since this project is within a "Combined Sewer Overflow" (CSO) district, the project shall be designed to retain rainfall of 1.5 inch depth over the entire site for a minimum of 40 hours prior to release, to reduce small storm discharge to the combined sewer system. The retained runoff shall be discharged between 40 and 72 hours. The analysis shall be submitted, and the developer secures permits to construct any improvements required by the Land Development Division prior to recording the plat.
2. The developer must dedicate additional right of way for the intersection of W 32nd Street & Holly Street as shown on the Development Plan, and ensure right of way dedication is adequate for any proposed road improvements as required by Land Development Division adjacent to this project.
3. The developer must subordinate to the City all private interest in the area of any right-of-way dedication, in accordance with Chapter 88 and as required by the Land Development Division, and that the owner/developer shall be responsible for all costs associated with subordination activities now and in the future.
4. After the City Plan Commission enters its disposition for the development plan, the developer shall not enter into any agreement that would encumber or otherwise have any impact on the proposed right-of-way dedications for the planned project without the prior written consent of the Land Development Division.

5. The developer must petition for the vacation of Holly Street as shown on the development plan as required by the Land Development Division, and Development Services prior to recording of the final plat.

6. The developer must obtain the executed and recorded city approved grading, temporary construction, drainage/sewer, or any other necessary easements from the abutting property owner(s) that may be required prior to submitting any public improvements crossing properties not controlled by the developer and include said document(s) within the public improvement applications submitted for permitting.

7. The owner/developer must submit plans for grading, siltation, and erosion control to Land Development Division for review and acceptance, and secure a Site Disturbance permit for any proposed disturbance area equal to one acre or more prior to beginning any construction activities.

8. The developer must secure permits to extend sanitary sewer to serve all proposed lots within the development and determine adequacy of receiving systems as required by the Land Development Division, prior to recording the plat.

9. The developer must submit covenants, conditions and restrictions to the Land Development Division for review by the Law Department for approval for the maintenance of private open space and enter into a covenant agreement for the maintenance of any stormwater detention area tracts, prior to recording the plat.

***Conditions 10-13 per City Planning & Development, Land Development Division (Pam Powell [pam.powell@kcmo.org](mailto:pam.powell@kcmo.org))***

10. Legal Description:

- ☐ All call-outs shown on the plat drawing should match the metes and bounds property description and vice versa.
- ☐ The 'Property Description' should include the remainder of Lots 6, 7, 8, 9, and 10 and the remainder of the East ½ of Lots 13 through 24.
- ☐ Label the point of commencement.

11. Plat Languages:

Easement Dedication Language:

- ☐ Use the city's standard easement language for the sewer and water main easements only if that type of easement is being dedicated by this plat; otherwise, delete the language.

Floodplain Language:

- ☐ Correct the reference to the County in the floodplain language.

Parkland Language:

- ☐ Revise the statement to include the amount being paid by the developer.

12. Plat Drawing:

Easements:

- ☐ All easements (with the exception of temporary\* easements) listed on the ownership certificate should be shown on the plat drawing if the easement is within the plat boundary. If the easement is not within the plat boundary, please have a licensed surveyor in the state of Missouri state so on company letterhead, which should be signed, sealed and dated. \*Temporary cul-de-sac easements are shown on final plats.
- ☐ Show the sewer and water main easements if they are being dedicated with this plat; otherwise, delete the language.

Location map:

- ☐ Provide a location map.

Other:

- ☐ The proposed final plat drawing must be in compliance with the approved preliminary plat/plan.
- ☐ Correct the reference to the previously recorded plat of 'Harries and Evans' Addition to' throughout the plat. (Currently referenced as Harris & Evans Addition'. (See the attachment.)
- ☐ Further revisions and/or corrections as required by Development Services.

Signature Block:

- ☐ Add the City Plan Commission recommended approval date from the City Plan Commission disposition letter sent to you by the City Planner.
- ☐ Use the City's standard revised signature block. (See the attachment.)

Street Grades:

- ☐ Verify the correct street grade information is shown with Review Engineer Brett Cox who can be reached at 816-513-2509.

Street Right of Way:

- ☐ Label the additional right-of-way being dedicated as 'Additional Right of Way Being Dedicated' and include it in the heavy plat bold line.
- ☐ Add the directional street name (E. or W.) to vacated 32nd Street.
- ☐ Provide the vacated ordinance number, date the ordinance was passed by Council, and state if utility rights were retained for the right-of-way being vacated by a separate ordinance.

Tie to Control Point (Station Name), Traverse Table, Grid Factor and Coordinates on Corners:

- ☐ Provide the traverse table for the Station.
- ☐ Provide the grid factor.
- ☐ Provide the coordinates on the corners.

Tract:

- ☐ Remove the area labeled Tract A.

13. Supporting Documentation and Plat Drawing \*:

- ☐ Submit an ownership certificate from a title company, which has been signed by an authorized agent, is current within 90 days, includes all of the property being platted and which shows fee ownership of the correct owners. (Please Note: This must be satisfied 90 days prior to the plat being released to the City Clerk's Office for recording.)
- ☐ Submit documentation providing for the establishment of a property owners association per Sec. 88-405-24-C of the Zoning and Development Code if the property owners association will be assigned responsibility for the maintenance and control of streets, open space, recreational facilities, or any other common areas and facilities within the subdivision.
- ☐ Submit a copy of the paid 2014 tax receipt.
- ☐ Submit a copy of the paid parkland receipt. **Please Note: If cash is paid to satisfy the parkland requirement, the park fee can only be paid at the Parks and Recreation Department located at 4600 E 63rd Street, Kansas City, MO. (The current contact is Mike Duckworth at 816-513-7545.)**
- ☐ Submit copies of special assessments paid in their entirety or proof that none exist. (Go to: <http://quicktax.kcmo.org> to determine if the subject property has special assessments.to determine if the subject property has special assessments.)
- ☐ Submit a pdf of the revised plat drawing with all of the requested revisions on a CD if you are hand-delivering or mailing the re-submittal.

Motion carried 7-0

VOTING AYE: Archie, Baker-Hughes, Burnette, Crowl, Martin, May, and Macy  
VOTING NAY: None  
ABSENT: Gutierrez

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**RE:**                      a. **Case No. 691-S-3**  
                              b. **Case No. 12419-MPD-3**

**OWNER/APPLICANT:**      Quik Trip Corporation  
                                      5725 Foxridge Dr  
                                      Mission, KS 66202

**AGENT:**                      Patricia R. Jensen  
                                      White Goss  
                                      4510 Belleview Ave, Suite 300  
                                      Kansas City, MO 64111

**LOCATION:**                      Generally located at north of NE 96th St and west of N Oak  
    Trafficway

**REQUESTS:**                      a. To amend the Gashland Nashua Area Plan by changing the  
    recommended land use from mixed use neighborhood and  
    residential, medium density to mixed use neighborhood and  
    residential, medium-high density.  
    b. To consider rezoning from District R-80 (Residential 80) to  
    District MPD (Master Planned Development), and approval of a

preliminary development plan for a 63,000 square feet of commercial development and a 168 residential units, which also serves as the preliminary plat.

Ms. Diane Binckley, Assistant Secretary, read the staff report into the record and stated that staff recommended continuance on this case to the June 16, 2015 meeting date without fee.

Chairwoman Macy opened up the discussion to the public.

No one appeared in opposition.

Vice Chair Archie moved and Commissioner Martin seconded the motion to **CONTINUE** this matter to the June 16, 2015 meeting date without fee (No Testimony – No Set Quorum)

Motion carried 7-0

VOTING AYE: Archie, Baker-Hughes, Burnette, Crawl, Martin, May, and Macy  
VOTING NAY: None  
ABSENT: Gutierrez

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<b>RE:</b>	<b>Case No. 12130-P-2</b>
<b>OWNER:</b>	2001 Main Lodging Partners, LLC 1529 Grand Blvd, Floor 2 Kansas City, MO 64108
<b>APPLICANT/AGENT:</b>	Leon D. Osbourn Kaw Valley Engineering, Inc. 2319 N Jackson PO Box 1304 Junction City, KS 66441
<b>LOCATION:</b>	Generally located south of 20 <sup>th</sup> St and east of Main St.
<b>REQUESTS:</b>	To consider approval of a development plan for a hotel in District DX-15 (Downtown Mixed Use).

Commissioner Crawl recused

Ms. Diane Binckley, Assistant Secretary, read the staff report into the record and stated that staff recommended continuance on this case to the June 16, 2015 meeting date without fee.

Chairwoman Macy opened up the discussion to the public.

No one appeared in opposition.

Vice Chair Archie moved and Commissioner May seconded the motion to **CONTINUE** this matter to the June 16, 2015 meeting date without fee (No Testimony – No Set Quorum)

Motion carried 6-0

VOTING AYE: Archie, Baker-Hughes, Burnette, Martin, May, and Macy  
VOTING NAY: None  
RECUSED: Crowl  
ABSENT: Gutierrez

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**RE:**                      **a. Case No. 673-S-4**  
                              **b. Case No. 10053-MPD-8**

**OWNER/APPLICANT:** Ellen Todd  
Curry Investment Company  
2700 Kendallwood Pkwy  
Gladstone, MO 64119

**AGENT:** Patricia R. Jensen  
White Goss  
4510 Belleview Ave, Suite 300  
Kansas City, MO 64111

**LOCATION:** Generally located at the southwest corner of N Brighton Ave and NE Pleasant Valley Rd.

**REQUESTS:**                      **a.** To consider approval of an amendment to the Briarcliff-Winwood Area Plan by changing the recommended land use from Mixed Use Neighborhood and Residential Low-Density to Mixed Use Neighborhood.

**b.** To consider rezoning from District B2-2 (Neighborhood Business 2) and R-80 (Residential 80) to District MPD (Master Planned Development) and approval of a preliminary development plan for 86,370 sq. ft. of commercial uses and 210 multi-family residential units.

Ms. Diane Binckley, Assistant Secretary, read the staff report into the record and stated that staff recommended continuance on this case to the June 16, 2015 meeting date without fee.

Chairwoman Macy opened up the discussion to the public.

No one appeared in opposition.

Vice Chair Archie moved and Commissioner May seconded the motion to **CONTINUE** this matter to the June 16, 2015 meeting date without fee (No Testimony – No Set Quorum)

Motion carried 7-0

VOTING AYE: Archie, Baker-Hughes, Burnette, Crawl, Martin, May, and Macy  
VOTING NAY: None  
ABSENT: Gutierrez

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**RE:** a) Case No. 673-S-3  
b) Case No. 5928-MPD-7

**APPLICANT:** Curry Investment Company c/o Ellen Todd  
2700 Kendallwood Pkwy.  
Gladstone, MO 64119

**PROPERTY OWNER:** Same as Applicant

**APPLICANT'S  
REPRESENTATIVE:** Patricia R. Jensen, Esq. c/o Elaine Bowers  
White Goss, a Professional Corporation  
4510 Belleview Avenue, Ste. 300  
Kansas City, MO 64111

**AREA:** About 26 acres

**LOCATION/REQUEST:** a) Case No. 673-S-3 – To consider a request to amend the Briarcliff-Winnwood Area Plan, on about 26 acres generally located south of NE Englewood Road, west of N Antioch Road and east of N Garfield Avenue, by changing the recommended land use from Residential – Medium Density to Mixed-Use Neighborhood for the commercial portion of the project and Residential High in the residential portion.

b) Case No. 5928-MPD-7 – About 26 acres generally located south of NE Englewood Road, west of N Antioch Road and east of N Garfield Avenue, to consider rezoning the site from Districts R-2.5 (Residential 2.5) and R-6 (Residential 6) to District MPD (Master Planned Development) and the approval of a Development Plan for commercial and residential uses.

Ms. Diane Binckley, Assistant Secretary, read the staff report into the record and stated that staff recommended continuance on this case to the June 16, 2015 meeting date without fee.

Chairwoman Macy opened up the discussion to the public.

No one appeared in opposition.

Vice Chair Archie moved and Commissioner Baker-Hughes seconded the motion to **CONTINUE** this matter to the June 16, 2015 meeting date without fee (No Testimony – No Set Quorum)

Motion carried 7-0

VOTING AYE: Archie, Baker-Hughes, Burnette, Crawl, Martin, May, and Macy  
VOTING NAY: None  
ABSENT: Gutierrez

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<b>RE:</b>	<b>Case No. 14565-SU</b>
<b>APPLICANT:</b>	Sam Unruh Unruh Furniture, LLC 12870 7 <sup>th</sup> St Grandview, MO 64030
<b>OWNER:</b>	International Pentecostal Holiness Church PO Box 12609 Oklahoma City, OK 73157
<b>LOCATION:</b>	Generally located at 3600 Walnut St.
<b>REQUEST:</b>	To consider approval of a special use permit in District R-6 (Residential 6) to allow for the reuse of an officially designated historic landmark and any necessary variances.

Mr. Joseph Rexwinkle, Staff Planner, presented the staff report and stated that staff recommended approval for reasons presented in the staff report.

Chairwoman Macy asked to hear from the applicant.

Mr. Sam Unruh, has met with the neighborhoods; and they were under contract right now pending this approval and the renovations and financing coming into place to bring the building back to its original glory; no plans on changing the outside of the building; no storage outside and would keep their vehicles off site.

Chairwoman Macy opened up the discussion to the public.

Mr. Courtney Baumont, 3626 Walnut; they were very anxious to save the building; it had been abandoned for several years; the plan was well-thought out; he read signatures of support from other neighbors and would give their support.

Mr. Jack Kristoferson, 3741 Walnut; lived there 5 years; walks with his family; and had been very concerned about the building; very unsanitary; that was a good plan and do support it.

(name in audible); she was in support of the project and keeping the historical value of the building.

Vice Chair Archie moved and Commissioner May seconded the motion to **APPROVE Case No. 14565-SU SUBJECT TO THE FOLLOWING CONDITIONS:**

1. That one (1) collated, stapled and folded copies (and a CD containing a pdf file, a georeferenced monochromatic TIF file, and CAD/GIS compatible layer of the plan boundary referenced to the Missouri state plan coordinate system) of (a revised drawing /all listed sheets), revised as noted, be approved by the Development Management staff (15<sup>th</sup> Floor, City Hall) prior to building permit showing:
  - a. The title “Special Use Permit for the Reuse of an Officially-designated Historic Landmark as a Limited Manufacturing Use”.
  - b. A note stating that no new outdoor lighting is proposed.
  - c. That the current zoning (R-6) is not proposed to be changed.
  - d. Identify the location of the manufacturing space within the building on the floor plans.
  - e. A note identifying the hours of operation as being 7:30 a.m. to 6:00 p.m. Monday through Friday and specifying that delivery of supplies (such as lumber) will occur only during these hours.
  - f. A note identifying that furniture delivery shall only occur from 8:00 a.m. to 6:00 p.m. on Saturdays and between the hours of 12:00 p.m. and 5:00 p.m on Sundays (if necessary).
  - g. A note stating the delivery vehicles will be not be stored on street and will be stored off-site.
2. That the use of the property is limited to a special use permit for the reuse of an officially-designated historic landmark as a limited manufacturing use.

Motion carried 7-0

VOTING AYE: Archie, Baker-Hughes, Burnette, Crawl, Martin, May, and Macy  
VOTING NAY: None  
ABSENT: Gutierrez

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**Re:** **Case No. 254-S-304** **(18)**

**Applicant:** **Councilperson Ed Ford**

**Proponent:** **Board of Parks and Recreation Commissioners**

**Request:**

**Case No. 254-S-304** -- Amending Chapter 88, Zoning & Development Code, Sections 88-110-03-G, 88-120-03-G, 88-130-04-G, 88-140-03-G (all titled “Special Standards Adjacent to and within 150 feet of Parks, Boulevards, and Parkways”), Tables 110-1 (Residential Districts Use Table), 120-1 (Office, Business, and Commercial Districts Use Table), 130-1(Downtown Districts Use Table) and 140-1 (Manufacturing Districts Use Table); Sections 88-310 Adult Businesses and Adult Media; 88-325 Short-Term Loan Establishments, 88-331 Day Labor

Employment Agency, 88-335 Detention and Correctional Facilities, 88-340 Drive-Through Facilities, 88-375 Vehicle Storage and Towing, and adding Sections 88-323 Boulevard and Parkway Standards and 88-450 Pedestrian Standards – to add restrictions and standards for uses located adjacent to and within 150 feet of parks, boulevards and parkways and to clarify the applicability of the *Boulevard and Parkway Standards* to property under the jurisdiction of the Board of Parks and Recreation Commissioners.

Ms. Diane Binckley, Assistant Secretary, read the staff report into the record and stated that staff recommended continuance on this case to the June 16, 2015 meeting date without fee.

Chairwoman Macy opened up the discussion to the public.

No one appeared in opposition.

Vice Chair Archie moved and Commissioner Baker-Hughes seconded the motion to **CONTINUE** this matter to the June 16, 2015 meeting date without fee (No Testimony – No Set Quorum)

Motion carried 7-0

VOTING AYE: Archie, Baker-Hughes, Burnette, Crawl, Martin, May, and Macy  
VOTING NAY: None  
ABSENT: Gutierrez

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<b>Re:</b>	<b>Case No. 254-S-305</b>
<b>Request:</b>	Amending Chapter 88, the Zoning and Development Code, through revisions, clarifications, and other administrative changes throughout the chapter in accordance with the Zoning & Development Code periodic review
<b>Applicant/Sponsor:</b>	<b>Jeffrey Williams</b> , AICP Director City Planning & Development Department

Ms. Diane Binckley, Assistant Secretary, read the staff report into the record and stated that staff recommended continuance on this case to the June 16, 2015 meeting date without fee.

Chairwoman Macy opened up the discussion to the public.

No one appeared in opposition.

Vice Chair Archie moved and Commissioner Crawl seconded the motion to **CONTINUE** this matter to the June 16, 2015 meeting date without fee (No Testimony – No Set Quorum)

Motion carried 7-0

VOTING AYE: Archie, Baker-Hughes, Burnette, Crowl, Martin, May, and Macy  
VOTING NAY: None  
ABSENT: Gutierrez

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**RE:** Case No. 7909-UR-9

**APPLICANT:** C&C Development LLC  
4050 Pennsylvania Ave., Ste. 215  
Kansas City, MO 64111

**AGENT:** Charles Renner  
Husch Blackwell LLP  
4801 Main St., Ste. 1000  
Kansas City, MO 64112

**OWNER:** Same as Applicant

**LOCATION:** Generally located at the southwest quadrant of US 40 Hwy  
and Noland Road

**AREA:** 33 acres

**REQUESTS:** About 33 acres generally located at the southwest quadrant  
of US 40 Hwy and Noland Road, to consider rezoning the  
site from District B 2-2 (Neighborhood Business 2 (dash  
2)), to District UR (Urban redevelopment district) and the  
approval of a development plan for a  
manufacturing/commercial use.

Ms. Diane Binckley, Assistant Secretary, presented the staff report and stated that staff recommended approval for reasons presented in the staff report.

Chairwoman Macy asked to hear from the applicant.

Husch Blackwell, representing the applicant C & C Development; they agreed with the recommendations of staff; this is an opportunity to restore a vacant site.

Chairwoman Macy opened discussion to the public.

Terry Bramble, president of the Senior Housing LLC; they owned property immediately to the south of the site and the vacant land west of the existing cottages; they had two primary concerns; the noise factor and would bother their seniors; the lighting factor was another; they would like to see the adjoining property fenced so the kids wouldn't run through the south end of the property where the seniors lived so it was also security for their tenants.

(name in audible); the Manager of the Senior Cottages; her concerns were the screening, the noise level, i.e. the construction time with trucks, etc; and if there would be any odors from their operation; any white lights those all would be issues for their senior residents.

Applicant answered that it would be very light manufacturing; there would not be heavy manufacturing on the site; it would fit the limited uses within that industrial classification and shouldn't have any greater effect on the neighborhood; not putting an substantial change to the site mainly the interior of the building; there would be additional landscaping buffering and a removal of an outdated sign.

Vice Chair Archie stated he would like a little more specification for hours of operation; buffers, lighting, plans for notification for work on the outside, consideration of what would happen through the transition.

Applicant stated they anticipate cleaning up the entire area; they are not opposed to any ideas that the community had suggested; the exterior of the building would be simple, with no changes; but if we could better it they would. As far as the hours, there was still a storage area of B42 of their facility and the residential that is currently vacant ground, the operation would not have any way an adverse effect on these residents; really didn't know how to prove it was totally subjective; the 130,000 sq. ft. should be large enough it shouldn't have any types of affect.

Vice Chair Archie moved and Commissioner May seconded the motion to **APPROVE Case No. 7909-UR-9 SUBJECT TO THE FOLLOWING CONDITIONS:**

Motion carried 7-0

VOTING AYE:	Archie, Baker-Hughes, Burnette, Crawl, Martin, May, and Macy
VOTING NAY:	None
ABSENT:	Gutierrez

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#### **OTHER MATTERS:**

Approval of the March 17, 2015 minutes; Vice Chair Archie moved and Commissioner Martin seconded the motion to **APPROVE** the minutes of the March 27, 2015 meeting.

Motion carried 7-0

VOTING AYE:	Archie, Baker-Hughes, Burnette, Crawl, Martin, May, and Macy
VOTING NAY:	None
ABSENT:	Gutierrez

August meeting date; Moved and seconded to **DISMISS the August 18, 2015 meeting date;**

Motion carried 7-0

VOTING AYE: Archie, Baker-Hughes, Burnette, Crowl, Martin, May, and Macy  
VOTING NAY: None  
ABSENT: Gutierrez

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There being no further business, Chairwoman Macy adjourned the meeting at 11:09 a.m.

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Respectfully submitted,

Diane M. Binckley, AICP  
Assistant Secretary

APPROVED:

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Babette Macy, Chairwoman